

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**IN RE:**

**EUGENE GATES and**  
SS# XXX-XX-5334  
**VIVIAN A. GATES**  
SS# XXX-XX-0312

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**CHAPTER 13**

**DEBTOR(S) § CASE NO. BK 10-15770-DWH13**

**CONSENT ORDER ON OBJECTION TO CONFIRMATION**  
**BY VANDERBILT MORTGAGE AND FINANCE, INC.**

This matter set to come before the Court on February 18, 2011, on the Objection to Confirmation (Doc #20) filed on behalf of Vanderbilt Mortgage and Finance, Inc. (hereinafter "Movant"), and based on the pleadings previously filed in this matter and the agreement of the parties, it is hereby ORDERED, ADJUDGED and DECREED that:

1. Movant is the holder of a claim filed in this proceeding in the amount of \$36,046.78. Said claim is secured by one (1) 2004 Cavalier 28' x 60' Manufactured Home, VIN #BC04AL0133842A/B, hereinafter "Collateral". Said claim is hereby deemed to be a fully secured claim.

2. Movant's claim in the amount of \$36,046.78 (Claim #1) filed on November 24, 2010 shall be classified as a long-term debt under §1322(b)(5) and paid through the Chapter 13 Trustee's office at a fixed payment to be determined by the Trustee beginning with the March 19, 2011 payment and continuing for the duration of the plan.

3. Movant's pre-petition arrearage proof of claim in the amount of \$948.20 (Claim #1) filed on November 24, 2010 for the mortgage payments due for October 2010 and November 2010 shall be amended to include the post-petition arrears for the direct mortgage payments due for the months of December 2010, January 2011, and February 2011 in the approximate amount of \$1,476.30. Said claim shall be awarded a fixed monthly payment to be determined by the Trustee.

4. The Automatic Stay imposed by 11 U.S.C. § 362 shall terminate in favor of Movant without further Order of this Court (i) if Debtors fail to provide Movant proof of independent insurance that complies with the requirements of the insurance provisions in the original contract and security agreement between the Debtors and Movant within fourteen (14) days of the date of this Order or (ii) Debtors allow the aforementioned insurance to lapse and said insurance is not reinstated within fourteen (14) days of the notice of lapse given by Movant to the Debtors and Debtors' counsel.

5. This Order hereby resolves the Objection to Confirmation filed by Vanderbilt Mortgage and Finance, Inc.

This Order Prepared By:

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(205) 344-5000

This Order consented to by:

/s/ Emily M. Yancey  
Emily M. Yancey (MS Bar #102488)  
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/s/ Kenneth Mayfield  
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/s/ Terre M. Vardaman  
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PARTIES TO RECEIVE COPIES

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